

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM M. DANIELS, JR.,	)	
	)	2:06cv741
Petitioner,	)	Electronic Filing
	)	
v.	)	Judge Cercone
	)	Magistrate Judge Lenihan
HENRY WILSON, Superintendent, and THE	)	
DISTRICT ATTORNEY OF ALLEGHENY	)	
COUNTY and THE ATTORNEY GENERAL	)	
OF THE COMMONWEALTH OF	)	
PENNSYLVANIA,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

On June 7, 2006, the above captioned case was initiated by the filing of a Petition for Writ of Habeas Corpus (ECF No. 1) and was referred to a united states magistrate judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The magistrate judge filed a Report and Recommendation on October 5, 2010 (ECF No. 29) recommending that the Petition for Writ of Habeas Corpus be denied and that a certificate of appealability be denied. On October 25, 2010, Petitioner filed Objections to the Report and Recommendation (ECF No. 31). Petitioner's objections do not undermine the recommendation of the magistrate judge.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

17 13  
AND NOW, this \_\_\_\_ day of November, 2010;

**IT IS HEREBY ORDERED** that the Petition for Writ of Habeas Corpus is **DENIED**.

**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 29) is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

**AND IT IS FURTHER ORDERED** that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.



David Stewart Cercone  
United States District Judge

cc: William M. Daniels, Jr.  
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(Via First Class Mail)

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